

From: [Chip Humphrey](#)
To: [James McKenna](#)
Subject: Re: BERA meeting at Windward next Friday (1/25)
Date: 01/29/2013 03:35 PM

Jim -

This is to follow-up on your email from January 25th (below). As we clarified in our discussion at the meeting on January 25th, EPA did not provide new comments in Burt's email. There were some clarifications and a couple of corrections and concepts related to the comments we previously provided on or before January 11th, and we were able to resolve those issues in that context. EPA did not view those clarifications as new comments or direction to the LWG.

Please let me know if you have questions or if this is inconsistent with your understanding based on our discussions on January 25th.

thanks
Chip

▼ James McKenna ---01/25/2013 06:09:00 AM---Good morning Burt and Chip. Just a quick procedural point before we meet this morning: it appears yo

From: James McKenna <jim.mckenna@verdantllc.com>
To: Burt Shephard/R10/USEPA/US@EPA, "JohnT@windwardenv.com" <JohnT@windwardenv.com>
Cc: Chip Humphrey/R10/USEPA/US@EPA, "jworonets@anchorqea.com" <jworonets@anchorqea.com>, "MattL@windwardenv.com" <MattL@windwardenv.com>, (b) (6)
Date: 01/25/2013 06:09 AM
Subject: Re: BERA meeting at Windward next Friday (1/25)

Good morning Burt and Chip. Just a quick procedural point before we meet this morning: it appears your email last night is presenting new BERA comments from some of EPA's partners. John and I are only empowered to discuss and negotiate BERA comments received from EPA on or before January 11th. If there are post-January 11th comments from the Agency then they need to be formally sent to the LWG before John and I can discuss them with Chip and his team.

Thanks, and I'll see you all in a couple of hours. Jim.

From: Shephard.Burt@epamail.epa.gov [mailto:Shephard.Burt@epamail.epa.gov]
Sent: Friday, January 25, 2013 12:15 AM
To: John Toll <JohnT@windwardenv.com>
Cc: Humphrey.Chip@epamail.epa.gov <Humphrey.Chip@epamail.epa.gov>; James McKenna; Jen Woronets (jworonets@anchorqea.com) <jworonets@anchorqea.com>; Matt Luxon <MattL@windwardenv.com>; Nancy Musgrove (b) (6)
Subject: RE: BERA meeting at Windward next Friday (1/25)

John,

Chip and I will drive over by 10 am. He will drive up from Portland to our office, then I'll drive us over to your office.

One additional agenda item will be for us to discuss comments we've received on the Executive Summary and Section 11 from our EPA partners. Section 11 comments were limited to making sure the text and tables are consistent with changes made to the earlier sections of the BERA. Nearly all of the Executive Summary edits were what I consider editorial. Some were trivial (e.g. adding section numbers to various headings), a few you may not consider trivial although we do. A couple substantive comments, the largest being corrections to the bioassay results table, something you and I have already agreed needs fixing.

Attached is a draft table for Section 11 that breaks out risks for selected media (sediment PECs and PELs, surface water, TZW, bivalve tissue, bass tissue and sculpin tissue) by river mile. With the exception of TZW, these are the media that have at least one empirical sample from each river mile of the Study Area. This will be a minor discussion point, crayfish tissue also

exists from each river mile, but when putting together this table, I came across a reason to doubt the risks to crayfish from the only identified COC in crayfish tissue, which was copper. I'll explain tomorrow. This table is complete except for sediment risks for river mile 8 to 9. I wanted to split out Swan Island Lagoon risks from the mainstem Willamette in this table, the BERA database for sediment doesn't do that, it only gives the river mile of each sediment sample. I've got our GIS folks working from those files to separate Swan Island Lagoon samples from mainstem river samples. The attached does remove a number of sediment samples from the river mile 9 - 10 mainstem Willamette reach that are actually in the southern end of Swan Island Lagoon.

This table resolves a couple of inconsistencies in the BERA we noted in our comments, such as several sediment COCs with low HQs (e.g. endrin) where BERA text and tables differ regarding whether a chemical is a COC. Appears as though a couple of "U" qualifiers may have been missed, resulting in the chemicals being identified in a part of the BERA as a COC when in fact it was not a COC.

See you tomorrow.

Best regards,

Burt Shephard
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"Facts are stubborn things"
- John Adams

(See attached file: BERA Table 11-3 from EPA risks by river mile.xlsx)



yv+LAH8AAAAAASW5hY3RpdmUgaGlkZSBkZXRhaWxzIGZvciBKb2huIFRvbGwglS0tMDEvMjQvMjAxMyAwNDoyMzo0OCBQTS0tLUJ1cnQsIEppbSBhbmQgQ2hpcCwgSSdtIGp1c3Qgd3JpdGluZyB0byBjb3ZlciBzb21lIGhvdXNla2VlcGluZw== John Toll ---01/24/2013 04:23:48 PM---Burt, Jim and Chip, I'm just writing to cover some housekeeping items for tomorrow's meeting at Wind

From: John Toll <JohnT@windwardenv.com>
To: Burt Shephard/R10/USEPA/US@EPA, "Jim McKenna (jim.mckenna@verdantllc.com)" <jim.mckenna@verdantllc.com>, Chip Humphrey/R10/USEPA/US@EPA,
Cc: Matt Luxon <MattL@windwardenv.com>, Nancy Musgrove <namusgrove@gmail.com>, "Jen Woronets (jworonets@anchorqea.com)" <jworonets@anchorqea.com>
Date: 01/24/2013 04:23 PM
Subject: RE: BERA meeting at Windward next Friday (1/25)

Burt, Jim and Chip,

I'm just writing to cover some housekeeping items for tomorrow's meeting at Windward:

- We're planning on starting at 10:00, finishing by 3:00.
- Here's a link to [instructions for getting to our office](#).
- I haven't heard back from anyone about my "vision for the day" so we're assuming that those are the topics we're going to cover. We'll talk about the goals for the day and agenda first thing.
- We'll have a computer projecting onto a large screen so we'll be able to pull up the BERA to talk about specific sections, tables, edits, etc. We'll also have a white board.
- We'll order lunch in. If there are no objections we'll order from the Thai place next door.

Matt and I will be there for the duration from Woodward. Nancy Musgrove will be in the office and available as needed (she was our benthic BERA lead). Others who are helping out with the revisions will be available to answer questions as needed. See you in the morning,

John

From: John Toll

Sent: Friday, January 18, 2013 12:47 PM

To: Burt Shephard (shephard.burt@epa.gov); Jim McKenna (jim.mckenna@verdantllc.com)

Cc: Matt Luxon (mattl@windwardenv.com); Nancy Musgrove; Jen Woronets (jworonets@anchorqea.com); Chip Humphrey (humphrey.chip@epa.gov)

Subject: BERA meeting at Woodward next Friday (1/25)

Hi Burt. I want to confirm that you'll be coming over to Woodward next Friday to talk about the ongoing effort to finalize the Portland Harbor BERA. I also wanted to let you know that Jim is planning on being here too. Chip, are you thinking of coming up as well?

What's a convenient start time for everybody? I think you should plan on spending the day over here though I don't yet know how much time we'll need.

My vision for the day is that we'll talk about the specific changes we're making per comment resolutions, the ecological significance text for Section 3, our markup of your Executive Summary, your markup of Section 11, and your new tables. Does that sound right to you?

John